

CHAPTER NO. 410

HOUSE BILL NO. 525

By Representatives Chumney, Bunch

Substituted for: Senate Bill No. 1419

By Senator Person

AN ACT to amend Tennessee Code Annotated, Title 36 and Title 37, relative to proceedings regarding juveniles.

WHEREAS, guardians ad litem perform many valuable roles pursuant to court appointment and the term "guardian ad litem" is, in some instances, used in the Tennessee statutes without a clear definition as to the role or roles to be performed by a court appointed guardian ad litem and without a clear indication of whether being a licensed attorney is a required qualification to serve as a guardian ad litem; and

WHEREAS, it is appropriate that the general assembly should study issues pertaining to guardians ad litem to determine if enactment of new laws or amendment of existing laws is needed; now therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) There is established a study committee to examine all issues pertaining to the appointment of, and functions to be performed by, guardians ad litem, which shall include but not be limited to issues pertaining to appointment of guardians ad litem on behalf of a minor child in domestic and juvenile court proceedings.

(b) The committee shall consist of two (2) members of the house children and family affairs committee and one (1) member of the house judiciary committee, each of whom shall be appointed by the speaker of the house of representatives; and three (3) members of the senate judiciary committee, each of who shall be appointed by the speaker of the senate. Any vacancy in the membership shall be filled in the same manner as the original appointment.

(c) All members shall serve without compensation, but shall be eligible for reimbursement for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(d) The initial meeting of the committee shall be convened by the chair of the house children and family affairs committee, who shall serve as chair of the study committee. The members may select other officers as needed.

(e) State departments and agencies shall assist the committee consistent with currently available resources. The department of children services shall provide technical assistance and support as may be necessary for the committee to perform its duties.

(f) The committee may meet and hold hearings at the places it designates during the sessions or recesses of the general assembly.

(g) Upon the conclusion of its study and assessment, the committee shall report its findings, along with any legislative recommendations it may have, to the governor, the children and family affairs and judiciary committees of the house of representatives, and the judiciary committee of the senate, by no later than January 15, 2002.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and is hereby repealed twelve (12) months following such effective date.

PASSED: June 14, 2001



JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 20th day of June 2001



DON SUNDQUIST, GOVERNOR